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Examiner: Michael C. Lai

### REMARKS/ARGUMENTS

Claims 1, 3-10, and 12-21 remain in the application with Claims 1, 10 and 19 being independent claims. Claims 2 and 11 have been previously canceled, while Claims 1, 10 and 19 have been currently amended. In the most recent February 18, 2009 office action, claim 10 was rejected under 35 U.S.C. §112(2) and all remaining claims were rejected under 35 U.S.C. 103(a).

#### **I. Regarding the 35 USC 112(2) rejection**

To overcome the 35 U.S.C. §112(2) rejection, claim 10 has been amended such that "the network administrator" now reads "a network administrator" to provide proper antecedent basis for this limitation.

#### **II. Regarding the 35 USC 103(a) rejection**

Claims 1, 4-5, 10 and 13-14 were rejected as being unpatentable over Tonnby et al. (WO 03/067821 A1) in view of Desanti (U.S. Patent No. 7,095,738). Claims 3 and 12 were rejected as being unpatentable over Tonnby in view of Desanti and further in view of knowledge well known in the networking art. Claims 6-8 and 15-17 were rejected as being unpatentable over Tonnby in view of Desanti and further in view of Berlovitch (U.S. Patent No. 6,061,334). Claims 19-20 were rejected as being unpatentable over Tonnby and Berlovitch. Claim 21 was rejected as being unpatentable over Tonnby in view of Berlovitch and further in view of Rueda

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(U.S. Patent Publication No. 2002/0112076). Claims 9 and 18 were rejected as being unpatentable over Tonnby in view of Desanti and Berlovitch and further in view of Rueda.

To overcome the 35 U.S.C. §103(a) rejection, independent claims 1, 10 and 19 have been amended to include additional limitations related to the switching node of the present invention to distinguish it from the penult disclosed in Tonnby (cited as the equivalent to the switching node of the present claims).

As shown in FIG. 2 of the present application and stated in paragraphs 0026-0027:

The mobile port 22 that is configured in the switching node 12 includes a reception/transmission module 58 for receiving and transmitting data units (e.g. packets and frames) via the port. The switching node 12 further includes a source learning module 56, a layer 2 (L2) table 54, also referred to as a filtering database, and a forwarding module... In general terms, the source learning module 56 inspects the MAC source address of data units received via port 22, obtains the VLAN ID associated with the MAC source address, and creates or updates entries in the L2 table, associating the port on which the data unit was received with its MAC source address and VLAN ID. The L2 table further stores filtering information used by the forwarding module 58 to determine whether data units with a particular destination MAC address and VLAN ID should be forwarded to a given port. The switching node 12 also includes a PDP module 52 coupled to the source learning module 56. The PDP module is configured to run the PDP process and discover the silent devices attached to the mobile ports 22 of the switching node. The PDP process is run with the aid of a PDP table 50 storing the IP addresses and associated VLAN IDs of the silent devices known to the switching node.

As shown in FIG. 2 of Tonnby and described on p. 7 of the publication in describing the multiservice access system:

The nodes P1, P2, ... Pk of the access system ACC1, hereinafter called penults, have user ports UP11, UP12, UP13, UP21, ..., UPk1. Each of the user ports are connected to each a single one of the users U11-Um1 by wires W11-Wk1. The penults P1-Pk have each a handler H1, H2, ..., Hk, which administers the user ports on

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the respective penult. The handlers have each a register REG 11, REG 21,... REGk1. The node EAS of the access system ACC1 is an edge access server, which in turn includes service agents SA1, SA2,..., SAn with each a respective port PT1, PT2, ..., PTn. The edge access server also has interfaces IF1, IF2, IF3, ... IFj, an administrating unit AD1 and a broadcast handler BH1 with a register REG1. The units of the edge access server are all bound to an Ethernet frame distribution system SW1. Each of the service agents are attributed to each a single one of the service providers SP1-SPn. The penults are connected to the edge access server EAS via the interfaces. The handlers H1-HK in the penults are bound to the broadcast handler BH1 in the edge access server EAS, together forming a distributed handling system. The users U11-Um1 have each a number of user devices....UD11, UD12, UD13 and UD 14...

Page 14 of Tonnby further states: "[t]he register REG11 only comprises the penult's own user ports UP11, UP12 and UP13 on respective lists PL11, PL12 and PL13 and the VLAN tags."

Hence, the switching node of the independent claims has been amended to include limitations disclosed in the present application, including the presence of the various modules and tables within the switching node. Broadcast handler BH1 and other devices within the edge access server but outside the penult of Tonnby do not correspond to the modules contained within the switching device of the present application as presently amended.

Regarding claims 3-9, as these claims depend either directly or indirectly from independent claim 1, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 1, Applicants respectfully assert that these claims are also patentable over the cited references.

Regarding claims 12-18, as these claims depend either directly or indirectly from independent claim 10, and therefore incorporate all the limitations therein, for the reasons set

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forth above with respect to claim 10, Applicants respectfully assert that these claims are also patentable over the cited references.

Regarding claims 20-21, as these claims depend either directly or indirectly from independent claim 19, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 19, Applicants respectfully assert that these claims are also patentable over the cited references.

It is believed that the foregoing amendments and remarks place this application in condition for allowance; therefore, Applicants respectfully request withdrawal of the Examiner's rejection of the claims as set forth in the office action, and full allowance of same. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned at 512-306-8533 to expeditiously resolve any outstanding issues.

Respectfully submitted,

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